

1 MICHAEL R. LOZEAU (State Bar No. 142893)
2 DOUGLAS J. CHERMAK (State Bar No. 233382)
3 Law Office of Michael R. Lozeau
4 1516 Oak Street, Suite 216
5 Alameda, CA 94501
Tel: (510) 749-9102
Fax: (510) 749-9103 (fax)
E-mail: mrlozeau@lozeaulaw.com

6 ANDREW L. PACKARD (State Bar No. 168690)
7 MICHAEL P. LYNES (State Bar No. 230462)
8 Law Offices of Andrew L. Packard
9 319 Pleasant Street
Petaluma, CA 94952
Tel: (707) 763-7227
Fax: (415) 763-9227
10 E-mail: andrew@packardlawoffices.com

11 Attorneys for Plaintiff
12 CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

13 CALIFORNIA SPORTFISHING
14 PROTECTION ALLIANCE, a non-profit
15 corporation,

Plaintiff.

VS.

19 AARON METALS COMPANY, a
20 corporation.

Defendant.

Case No. 3:07-cv-3547-WHA

**DECLARATION OF DOUGLAS J.
CHERMAK IN SUPPORT OF
CALIFORNIA SPORTFISHING
PROTECTION ALLIANCE'S MOTION
TO EXTEND THE CASE
MANAGEMENT CONFERENCE**

Conference: October 18, 2007
Time: 11:00 AM
Courtroom: 9

I, DOUGLAS J. CHERMAK, do declare and if called to testify would testify as follows:

26 1. I am an attorney licensed to practice in the State of California and I represent Plaintiff
27 California Sportfishing Protection Alliance (“CSPA”) in the above-entitled action.

1 2. On July 9, 2007, CSPA filed a complaint to initiate the above action. CSPA has not
2 yet served the complaint on the defendant, Aaron Metals Company ("Aaron Metals"), in order to
3 facilitate ongoing settlement discussions.

4 3. Since filing the complaint, CSPA and Aaron Metals have engaged in confidential
5 settlement discussions, including a site inspection. The parties are close to reaching an agreement.
6

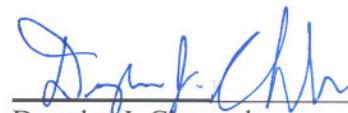
7 4. On September 29, 2007, I had a phone meeting with Christine Noma, counsel for
8 Aaron Metals. We agreed that since we were close to reaching a resolution, it would make sense for
9 the Court to extend the date for the Initial Case Management Conference while the parties finalize a
10 settlement agreement. CSPA agreed to file the accompanying motion to ask for an extension.
11

12 5. On October 10, 2007, counsel for Defendant reviewed Plaintiff's motion and has
13 indicated that Defendant has no objection to it.

14 6. Based on the likelihood of settlement, I believe that extending the date of the Initial
15 Case Management Conference will conserve both the Court's and the parties' resources.

16 Pursuant to 28 U.S.C. § 1746 and under the laws of California, I declare under penalty of
17 perjury that the foregoing is true and correct. Executed this 11th day of October, 2007 in Alameda,
18 California.
19

20 Dated: October 11, 2007



21 Douglas J. Chermak
22 Attorney for California Sportfishing Protection
23 Alliance
24
25
26
27